

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Leon T. Lucas

Group Art Unit:

Serial No.: To be assigned

Examiner:

Filed: Concurrently herewith

For: FUNGICIDAL COMPOSITIONS FOR THE TREATMENT OF CROWN AND ROOT ROT
IN TURFGRASS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

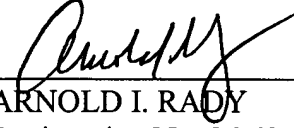
Pursuant to Rule 56, applicant hereby calls the attention of the Patent Office to the references listed on the attached Form PTO 1449. Copy(ies) of these references ☒ are attached ☐ were filed in related application U.S. Serial No(s) _____, filed _____, respectively.

- ☐ This document is being filed within three (3) months of the filing date of the application
- ☐ A check for the requisite fee of \$180 is enclosed.
- ☐ This document is being concurrently filed with the above-identified application
- ☐ This document is being concurrently filed with an Request for Continued Examination (RCE)
- ☐ This document is being filed prior to a first Office Action
- ☐ This document is accompanied by a Search Report/Communication cited in a corresponding PCT or foreign counterpart application.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 0624-4129. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: May 19, 2004

By: _____


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FORM PTO-1449 INFORMATION DISCLOSURE CITATION	Attorney Docket: 0624-4129	Serial No.: To be assigned
	Applicant: Leon T. Lucas	
	Filing Date:	Group Art Unit: To be assigned

U.S. PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Name	Class	Sub-Class	Filing Date
	2,129,013	09/06/38	Linstead et al.	260	314	05/14/36
	2,214,454	09/10/40	Dent	260	314	12/09/37
	2,276,860	03/17/42	Niemann et al.	260	314	12/10/45
	2,452,606	11/02/48	Roselle	106	289	11/20/45
	2,460,783	02/01/49	Lecher et al.	260	314.5	06/02/47
	2,460,779	02/01/49	Brouillard et al.	260	314.5	06/02/47
	2,471,794	05/31/49	Sumner	260	314.5	07/15/48
	2,485,167	10/18/49	Rintelman	260	314.5	04/01/48
	2,485,168	10/18/49	Rintelman	260	314.5	04/01/48
	2,556,729	06/12/51	Bridgeton	260	314.5	03/05/49
	2,613,128	10/07/52	Baumann et al.	8	28	10/29/48
	3,379,610	04/23/68	Lyon et al.	167	22	05/09/61
	3,632,328	01/04/72	Gaskin et al.	71	3	08/31/67
	3,950,265	04/13/76	Albrecht et al.	252	311	03/27/74
	4,139,616	02/13/79	Ducret et al.	424	222	12/10/74
	4,394,316	07/19/83	Chao	260	429	09/11/80
	4,698,334	10/06/87	Horriere et al.	514	141	03/12/82
	4,806,445	02/21/89	Horriere et al.	514	141	05/17/88
	4,956,183	09/11/90	Miki et al.	424	630	08/06/87
	5,171,853	12/15/92	Thorp et al.	536	27	08/05/91
	5,336,661	08/09/94	Lucas	504	126	01/13/93
	5,350,843	09/27/94	Itoh et al.	540	138	07/06/92
	5,380,842	01/10/95	Itoh et al.	540	138	06/22/92

FOREIGN PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Country	Class	Sub-Class	Translation
	103345	06/20/79	Poland			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	1-157904	06/21/89	Japan			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	6-73397	03/15/94	Japan			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	2511077	09/23/76	German Abstract			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	82034781	07/27/82	Japanese Abstract			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	2412324	09/25/75	German Abstract			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	1-562-940	03/03/69	France			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	0 419 915 A2	09/07/90	EPO			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, etc.)

	FORE Specimen Label, April (1985).
	CHIPCO Specimen Label, (1992).

Examiner	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

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	Applicant: Leon T. Lucas	
	Filing Date:	Group Art Unit: To be assigned

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, etc.)

	S. Lessage, <i>Reduction of the Formation of Ethylenethiourea from Ethylenebis (dithiocarbamates) by Cupric Ions in Aqueous Media</i> , J. Agric. Food Chem. 28(4), pp. 787-790 (1980).
	A. Stevenson, <i>Fungicidal Compositions</i> , Patent Journal, p. 39 (7/26/67)
	N. M. Bigelow et al., <i>Phthalocyanine Pigments</i> , The Chemistry of Synthetic Dyes and Pigments, pp. 577-606 (1960).
	W. S. Struve, <i>Phthalocyanine Dyes</i> , The Chemistry of Synthetic Dyes and Pigments, pp. 607-624 (1960).
	T. Ostmeyer, <i>The Color Green</i> , Golf Course Management, pp. 40-44 (8/1994)
	M. E. Fenn et al., <i>Studies on the In Vitro and In Vivo Antifungal Activity of Fosetyl-Al and Phosphorous Acid</i> , Phytopathology 74, No. 5, pp. 606-611 (1984).
	S. G. Martin et al., <i>Pathogenicity of Rhizoctonia zeae on Tall Fescue and Other Turfgrasses</i> , Plant Disease 67:676 (1983).
	S. G. Martin et al., <i>Characterization and Pathogenicity of Rhizoctonia spp. and Binucleate Rhizoctonia-like Fungi from Turfgrass Species</i> , Phytopathology 74:170 (1984.)
	L. T. Lucas, <i>Diseases of Warm-Season Grasses</i> , N.C. Agri. Ext. Ser. AG-360 (reprinted) (1987).
	L. B. McCarthy et al., <i>Gaeumannomyces Graminis Associated with Spring Dead Spot of Bermudagrass in South Eastern United States</i> , Plant Disease 73:659 (1989).
	L. T. Lucas, <i>Diseases of Bentgrass on High-Sand-Content Golf Greens</i> , Plant Pathology Turfgrass Disease Information Note No. 4 (1990).
	L. B. McCarthy et al., <i>Regrowth of Bermudagrass Infected with Spring Dead Spot Following Low Temperature Exposure</i> , Crop Science 31:182 (1991).
	L. T. Lucas, <i>Disease-Like Problems on Turfgrasses in North Carolina</i> , Plant Pathology Turfgrass Disease Information Note No. 5 (1992)
	L. T. Lucas, <i>Diseases of Tall Fescue</i> , Plant Pathology Turfgrass Disease Information Note No. 6 (1992).
	L. T. Lucase, <i>Long-Term Turf management Practices for Prevention of Turf Diseases</i> , Plant Pathology Turfgrass Information Note No. 7 (1992).
	L. B. McCarthy et al., <i>Spring Dead Spot Occurrence in Bermudagrass Following Fungicide and Nutrient Applications</i> , Hort. Science 27:1092 (1992).
	* Rule 132 Declaration of Leon T. Lucas and Laurence C. Mudge, Filed in U.S. Serial No. 08/003632, 1/11/94 (U.S. Patent No. 5,336,661).
	* Supplemental Rule 132 Declaration of Leon T. Lucas and Laurence C. Mudge, Filed in U.S. Serial No. 08/003632, 3/25/94 (U.S. Patent No. 5,336,661).
	* Published photographs of plots treated with combination of treatments taken by Leon T. Lucas, 1/11/94 (<i>Appendix 1 of above Rule 132 Declarations</i>).
	* L.T. Lucas, <i>1993 Field Plot Results indicating Synergistic Interaction of Chipco Aliette (Fosethyl-Al) and Mancozeb</i> , Plant Pathology Department, N.C. State University, 9/15/93. (<i>Appendix 2 of above Rule 132 Declarations</i>)
	* H. Couch et al., <i>Synergistic and antagonistic interactions of fungicides against Pythium aphanidermatum on perennial ryegrass</i> , Crop Protection, Vol. 10, October 1991, pp. 386-390. (<i>Appendix 3 of above Rule 132 Declarations</i>)
	* H. Couch, <i>Aliette 80 WDG/Fore 80 WP Synergy in the control of Rhizoctonia Blight (in vivo) Trial 2</i> , Virginia Polytechnic Inst. & State University, October 1993. (<i>Appendix 4 of above Rule 132 Declarations</i>)
	* Article, "New Fungicide Combination Sets Record Sales". (<i>Appendix 5 of above Rule 132 Declarations</i>)
	* Article, "Rhône Polenc", Turf North, May 1993. (<i>Appendix 5 of above Rule 132 Declarations</i>)
	* Article, "North Carolina State Study Claims Mix Controls Summer Stress", Golf Course News, May 1993. (<i>Appendix 5 of above Rule 132 Declarations</i>)

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Our Docket No. 0624-4129

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue of
Letters Patent 5,599,804

Laurence C. Mudge

Serial No.: 415,934

Filed on: April 3, 1995

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COPIES OF CITED REFERENCES

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